

**Enrolled Minutes of the Thirty-Third Regular or Special Meeting  
For the Twenty-Seventh Highland Town Council  
Regular Meeting  
Monday, March 11, 2013**

*Study Session.* The Twenty-Seventh Town Council of the Town of Highland, Lake County, Indiana met in a study session preceding the regular meeting on Monday, March 11, 2013 at 6:45 O'clock P.M. in the regular place, the meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

*Silent Roll Call:* Councilors Mark Herak, Dan Vassar and Brian Novak were present. Councilors Bernie Zemen and Konnie Kuiper were absent. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

**General Substance of Matters Discussed.**

1. The Town Council discussed the agenda of the imminent regular meeting.
2. The Town Council discussed the procedures related to the consideration of Enactments and Ordinances at same meeting of introduction, noting that absent another Councilor joining the meeting, none of these could be adopted with the necessary four or more votes.
3. The Metropolitan Police Chief briefly discussed the escape routes that the elected officers and others should take in the event an emergency or life-threatening exigency would occur during the Town Council meeting.

The study session ended at 7:05 O'clock p.m.

*Regular meeting.* The Twenty Seventh Town Council of the Town of Highland, Lake County, Indiana met in its regular session on Monday, March 11, 2013 at 7:06 O'clock P.M. in the regular place, the plenary meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

The Town Council President, Brian J. Novak, presided and the Town Clerk-Treasurer, Michael W. Griffin, was present to memorialize the proceedings. The meeting was opened with Council President Novak reciting the Pledge of Allegiance to the Flag of the United States of America and offering a prayer.

**Roll Call:** Present on roll call were Councilors Mark Herak, Dan Vassar and Brian Novak. Councilors Bernie Zemen and Konnie Kuiper were absent. Councilor Konnie Kuiper did join the plenary business meeting at 7:34 p.m. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

**Additional Officials Present:** Tara Tauber, J.D., Tauber Law Offices; Peter Hojnicky, Metropolitan Police Chief; John M. Bach, Public Works Director; Kenneth Mika, Building Commissioner; William R. Timmer, Jr., CFOD, Fire Chief; Alex M. Brown, CPRP, Parks and Recreation Superintendent; and Cecile Petro, Redevelopment Director were present.

*Also present:* Ed Dabrowski IT Director (Contract); and Dennis Adams of the Town Board of Metropolitan Police Commissioners were also present.

**Minutes of the Previous Meetings:**

The minutes of the regular meeting of February 25, 2013 were approved by general consent.

**Special Orders:**

1. **Administration of Oath of Office** for Police Officer Candidate **Daniel A. Ponce**. Police Officer Candidate Ponce was appointed by the Town Board of Metropolitan Police Commissioners at its meeting of 14 February, 2013, with the appointment to be effective 10 March 2013.
  - (a) Action by Town Council determining that the named Candidate Meets the Qualifications for such position, as Determined by the Town Board of Metropolitan Police Commissioners and as now approved by the Highland Town Council. The Police Officer candidate was present. Councilor Herak moved, seconded by Councilor Vassar that the Daniel Ponce be found qualified as appointed and determined by the Town Board of Metropolitan Police Commissioners and now approved by the Town Council. Upon a roll call vote, there were three affirmatives and no negatives. The motion passed. The candidate was found qualified.
  - (b) **Administration of Oath**. The Town Clerk-Treasurer offered a survey of the history and meaning of the oath of office and then administered the oath to which the candidate swore.
  - (c) Presentation of Badge by Metropolitan Police Commission Chair and/or Town Council President or the Metropolitan Police Chief. The Chairman of the Town Board of Metropolitan Police Commissioners, the Town Council President and the Metropolitan Police Chief presented the assigned badge to Officer Daniel A. Ponce
2. **Special Recognition:** Sergeant Michael O'Donnell, 25-Year Attendance Record. The Metropolitan Police Department requested opportunity to recognize this officer at the Town Council meeting for his record of meeting every scheduled shift without resort to calling off. The Chairman of the Town Board of Metropolitan Police Commissioners and the Metropolitan Police Chief presented a plaque to Sergeant O'Donnell formally acknowledging his attendance record.
3. **Public Hearing:** Proposed Additional Appropriations in Excess of the 2013 Budget for the **Rainy Day Fund**.
  - (a) Attorney verification of Proofs of Publication: The TIMES 28 Feb 2013. Ms. Tauber indicated that she had reviewed the proofs of publication and found them to be in order.
  - (b) **Public Hearing**. The Town Council President called the public hearing to order. There were no comments written or spoken. The hearing was closed.
  - (c) Action on **Appropriation Enactment No. 2013-08**: An Enactment Appropriating Additional Moneys in Excess of the Annual Budget for the **Rainy Day Fund**, all pursuant to I.C. 6-1.1-18, and I.C. 36-5-3-5.

Councilor Herak introduced and moved the consideration at the same meeting of introduction of Appropriation Enactment No. 2013-08. Councilor Vassar seconded. Upon a roll call vote, a unanimous vote being necessary, there were three affirmatives and no negatives. The motion passed. The Appropriation Enactment could be considered at the same meeting of its introduction.

*Note:* Action to adopt the enactment at the same meeting of its introduction was delayed until another councilor was present in order to bring the minimum number of councilors necessary to adopt at the same meeting of introduction. Councilor Kuiper arrived at 7:34. After his arrival, the following action was taken, under general consent:

Councilor Herak moved the passage and adoption at the same meeting of introduction of Appropriation Enactment No. 2013-08. Councilor Vassar seconded. Upon a roll call

vote, a two-thirds vote being necessary, there were four affirmatives and no negatives. The motion passed. The Appropriation Enactment was adopted at the same meeting of its introduction.

**Town of Highland  
APPROPRIATION ENACTMENT  
Enactment No. 2013-08**

**AN ENACTMENT APPROPRIATING ADDITIONAL MONEYS IN EXCESS OF THE ANNUAL BUDGET FOR THE RAINY DAY FUND, ALL PURSUANT TO I.C. 6-1.1-18, I.C. 36-5-3-5, ET SEQ.**

**WHEREAS**, Following a public hearing advertised pursuant to I.C. 5-3-1, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget for the **Rainy Day Fund**;

**WHEREAS**, It has been determined that such additional appropriations as may be approved by this enactment, will not increase the levy set under I.C. 6-1.1-17, all pursuant to I.C. 36-5-3-5;

**NOW, THEREFORE BE IT ENACTED** by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

**Section 1.** That for the expenses of said municipality, the following additional sums of money are hereby appropriated and ordered set apart out of the **Rainy Day Fund** and for the purposes herein specified, subject to the laws governing the same:

**RAINY DAY FUND:**

Acct. No. 3XX.XX Legal Fees:	\$ 8,000.00
Acct. No. 3XX.XX Closing Costs:	\$ 2,000.00
<i>Total Series:</i>	\$ 10,000.00

Acct. No. 4XX.XX Purchase of Land:	\$140,000.00
<i>Total Series:</i>	\$140,000.00

<b>Total for Fund:</b>	<b>\$ 150,000.00</b>
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**Section 2.** That the Clerk-Treasurer is hereby authorized and instructed to inform the Indiana Department of Local Government Finance of this action and that these moneys be made available for expenditure **subject to an order** of the Commissioner, pursuant to IC 6-1.1-18.

**Section 3.** That in satisfaction and for the purposes of the provisions set out in I.C. 36-5-2-9.6, I.C. 36-5-3-5, I.C. 36-5-4-2, this enactment shall be deemed properly filed and introduced before the Town Council at a regular or special meeting, properly called and convened pursuant to I.C. 5-1.5-14 *et seq.*

Introduced and Filed on the 11<sup>th</sup> Day of March 2013. Consideration on the same day or at same meeting of introduction sustained a vote of 3 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

**DULY ORDAINED, ENACTED AND ADOPTED** this 11th Day of March 2013, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 4 in favor and 0 opposed, which satisfies the required four affirmative votes as set forth in Ordinance No.1464.1455-A .

**TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA**

**Brian J. Novak, President (IC 36-5-2-10)**

**ATTEST:**

**Michael W. Griffin, IAMC/MMC/CPFA/CPFIM**  
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

**Staff Reports:**

**• Building & Inspection Report for January 2013**

Permit	Number.	Residential	Commercial	Est. Cost	Fees
Commercial Buildings:	0	0	0	\$0.00	\$0.00
Commercial Additions or Remodeling:	5	0	5	\$125,546.00	\$2,312.00
Signs:	5	0	5	\$15,219.00	<b>\$1,404.50</b>

Single Family:	0	0	0	\$0.00	<b>\$0.00</b>
Duplex/Condo	0	0	0	\$0.00	<b>\$0.00</b>
Residential Additions:	0	0	0	\$0.00	<b>\$0.00</b>
Residential Remodeling:	32	32	0	\$274,731.00	<b>\$4,662.00</b>
Garages:	0	0	0	\$0.00	\$0.00
Sheds:	1	1	0	\$300.00	\$133.50
Decks & Porches:	1	1	0	\$700.00	\$133.50
Fences	5	4	1	\$10,108.00	\$442.00
Swimming Pools	0	0	0	0	\$0.00
DrainTile/ Waterproofing	0	0	0	\$0.00	\$0.00
Misc.	0	0	0		\$0.00
<b>TOTAL:</b>	<b>49</b>	<b>38</b>	<b>11</b>	<b>\$424,604.00</b>	<b>\$9,087.50</b>
<b>Electrical Permits</b>	10	6	4		\$815.00
<b>Mechanical Permits</b>	4	3	1		\$318.00
<b>Plumbing Permits</b>	4	3	1		\$434.00
<b>Water Meters</b>	0	0	0		\$0.00
<b>Water Taps</b>	0	0	0		\$0.00
<b>Sewer/Storm Taps</b>	0	0	0		\$0.00
<b>TOTAL Plumbing:</b>	<b>4</b>	<b>3</b>	<b>1</b>		<b>\$434.00</b>

**January Code Enforcement:**

Investigations: 120

Citations: 3

**January Inspections:**

Building: 13      Electrical: 27      Plumbing: 5      HVAC 8

Electrical Exams: 2

**• Building & Inspection Report for February 2013**

Permit	Number.	Residential	Commercial	Est. Cost	Fees
Commercial Buildings:	0	0	0	\$0.00	<b>\$0.00</b>
Commercial Additions or Remodeling:	5	0	5	\$2,209,000.00	\$2,148.00
Signs:	7	0	7	\$33,894.00	<b>\$2,148.00</b>
Single Family:	0	0	0	\$0.00	<b>\$0.00</b>
Duplex/Condo	0	0	0	\$0.00	<b>\$0.00</b>
Residential Additions:	0	0	0	\$0.00	<b>\$0.00</b>
Residential Remodeling:	35	35	0	\$284,969.00	<b>\$4,811.50</b>
Garages:	0	0	0	\$0.00	\$0.00
Sheds:	0	0	0	\$0.00	\$0.00
Decks & Porches:	0	0	0	\$0.00	\$0.00
Fences	2	2	0	\$3,790.00	\$168.00
Swimming Pools	0	0	0	0	\$0.00
DrainTile/ Waterproofing	4	4	0	\$30,110.00	\$600.00

Misc.	1	1	0		\$91.50
<b>TOTAL:</b>	<b>54</b>	<b>42</b>	<b>12</b>	<b>\$2,561,763.00</b>	<b>\$33,300.00</b>
Electrical Permits	12	4	8		\$1,265.50
Mechanical Permits	7	5	2		\$587.50
Plumbing Permits	9	5	4		\$1,091.50
Water Meters	0	3	0		\$690.00
Water Taps	0	0	0		\$0.00
Sewer/Storm Taps	0	0	0		\$0.00
<b>TOTAL Plumbing:</b>	<b>9</b>	<b>8</b>	<b>4</b>		<b>\$1,781.50</b>

**February Code Enforcement:**

Investigations: 162  
Citations: 3

**February Inspections:**

Building: 28      Electrical: 20      Plumbing: 13      HVAC 3  
Electrical Exams: 2

• **Fire Department Report for February 2013**

	Month	1st half of yr.
General Alarms	8	17
Still Alarms	3	6
Paid still alarms	1	9
<b>Total:</b>	<b>12</b>	

• **Workplace Safety Report for February 2013**

There was one incident. The following incident summary was filed:

Department	Injuries this Month	Year to Date 2013	Total in 2012	Restricted Days 2013	Lost Workdays This Year	Restricted Days Last Year (2012)	Lost Workdays Last Year (2012)
Parks	1	1	0	0	0	0	0
Fire	0	0	0	0	0	0	0
Police	0	1	10	0	0	0	0
Street	0	1	7	0	0	0	0
Water & Sewer	0	0	4	0	0	2	0
Maint.	0	0	1	0	0	0	0
Other	0	1	0	0	0	0	0
<b>TOTALS</b>	<b>1</b>	<b>4</b>	<b>22</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>0</b>

Effective January 1, 2002, OSHA changed the record keeping guidelines. The municipality now counts the number of days lost from the day after the injury until the employee returns to work. Weekend, holidays, vacation days or other days scheduled off are included in the lost days count to a maximum of 180 days.

**Unfinished Business and General Orders:**

- Grant Appropriation Enactment No. 2013-09:** An Enactment Appropriating Additional Monies in Excess of the Annual Budget From Monies Received as a Grant from the State or Federal Government, pursuant to I.C. 6-1.1-18-7.5, I.C. 36-5-3-5 et seq., in the amount of **\$16,430.53**.

Councilor Herak introduced and moved the consideration at the same meeting of introduction of Grant Appropriation Enactment No. 2013-09. Councilor Vassar seconded. Upon a roll call vote, a unanimous vote being necessary, there were three affirmatives and no negatives. The motion passed. The Appropriation Enactment could be considered at the same meeting of its introduction.

*Note:* Action to adopt the enactment at the same meeting of its introduction was delayed until another councilor was present in order to bring the minimum number of councilors necessary to adopt at the same meeting of introduction. Councilor Kuiper arrived at 7:34. After his arrival, the following action was taken, under general consent:

Councilor Herak moved the passage and adoption at the same meeting of introduction of Grant Appropriation Enactment No. 2013-09. Councilor Kuiper seconded. Upon a roll call vote, a two-thirds vote being necessary, there were four affirmatives and no negatives. The motion passed. The Grant Appropriation Enactment was adopted at the same meeting of its introduction.

**Town of Highland  
APPROPRIATION ENACTMENT  
ENACTMENT NO. 2013-09**

**An Enactment Appropriating Additional Monies in Excess of the Annual Budget From Monies Received as a Grant from the State or Federal Government, pursuant to i.c. 6-1.1-18-7.5, i.c. 36-5-3-5 et seq.**

**WHEREAS, IC 6-1.1-18-7.5** provides that notwithstanding any other law, the appropriating body of a political subdivision may appropriate any funds received as a grant from the state or the federal government without using the additional appropriation procedures under IC 6-1.1-18-5, if the funds are provided or designated by the state or the federal government as a reimbursement of an expenditure made by the political subdivision;

**WHEREAS,** The Town Council has been informed of the receipt of funds from a grant of the **Federal High Intensity Drug Traffic Area**, particularly represented on Clerk-Treasurer's receipt number 129284 in the total amount of **\$ 16,430.53** as reimbursement in support of overtime costs for detailed personnel and certain equipment maintenance;

**WHEREAS,** The Town Council has been further informed that these funds were provided or designated by the state or the federal government as a reimbursement of an expenditure made by the political subdivision;

**NOW, THEREFORE BE IT ENACTED** by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

**Section 1.** That for the actual overtime personnel expenses of said municipality related to the Domestic Highway Enforcement Initiative (DHE) funded by **Federal High Intensity Drug Traffic Area** to reimburse the municipality for its actual over time expenses incurred by the assigned person, or for equipment maintenance, the following additional sums of money, received as a grant from the state or the federal government and designated as a reimbursement of an expenditure made by the political subdivision, are hereby appropriated and ordered set apart out of the funds herein named:

CORPORATION GENERAL FUND

**Metropolitan Police Department**

Increase Account: #111.30 Sworn Overtime	\$ 13,339.72
Total 100 Series Increases	\$ 13,339.72
Increase Account: #360.01 Equipment Maintenance	\$ 3,090.81
Total 300 Series Increases	\$ 3,090.81

**Total of All Fund Increases: \$ 16,430.53**

**Section 2.** That in satisfaction and for the purposes of the provisions set out in I.C. 36-5-2-9.6, I.C. 36-5-3-5, I.C. 36-5-4-2, this enactment shall be deemed properly filed and introduced before the Town Council at a regular or special meeting, properly called and convened pursuant to I.C. 5-1.5-14 et seq.

Introduced and Filed on the 11<sup>th</sup> day of March 2013. Consideration on same day or at same meeting of introduction sustained a vote of 3 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ENACTED AND ADOPTED this 11<sup>th</sup> Day of March 2013, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 4 in favor and 0 opposed.

TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA

Brian J. Novak, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM  
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

2. **Works Board Order No. 2013-14:** An Order Authorizing and Approving a Contribution to the Highland Chamber of Commerce, in support of Its Best of Highland Awards Event, Particularly authorizing payment of event admission for Highland Employees and Officers named as Finalists.

Councilor Herak moved, Councilor Vassar seconded the passage and adoption of Works Board Order No. 2013-14. Upon a roll call vote, there were three affirmatives and no negatives. The motion passed. The Works Board Order was adopted.

THE TOWN of HIGHLAND  
WORKS BOARD ORDER NO. 2013-14

AN ORDER AUTHORIZING and APPROVING a CONTRIBUTION to the HIGHLAND CHAMBER OF COMMERCE, in support OF ITS BEST OF HIGHLAND AWARDS EVENT, PARTICULARLY AUTHORIZING PAYMENT OF EVENT ADMISSION FOR HIGHLAND EMPLOYEES AND OFFICERS NAMED AS FINALISTS.

**Whereas,** The Town Council for the Town of Highland is the Legislative and Fiscal Body of the Municipality as well as the works board pursuant to IC 36-1-2 et seq., and

**Whereas,** The Highland Chamber of Commerce, an Incorporated Association comprised of Representatives in the business sector of the Town, organized and conducted a first ever Best of Highland Awards Event, which had as its purpose the salutary recognition of individuals in the private and public sectors of the Town; and

**Whereas,** The Highland Chamber of Commerce, included the category entitled "Civil Servants, in which eighteen employees or officers of the Town of Highland were named as finalists in one of several subcategories;

**Whereas,** Under its authority of IC 36-1-3, The Town passed and adopted Section §33.03 of the Highland Municipal Code which provides in pertinent part that the Town Council is authorized to budget and appropriate funds from the general fund of the town to pay the expenses incurred in promoting the best interests of the town and that such expenses may include, but not necessarily be limited to those incurred in developing relations with other organizations oriented to advancing the positive community interest of Highland or any other expenses of civic or governmental nature deemed by the Town Council to be in the interests of the Town; and

**Whereas,** The Highland Chamber of Commerce, has requested that the tickets for each finalist be supported by the Town in order to promote the event's success, and to remove any economic barrier to award finalists of the Town, that may bar participation;

**Whereas,** The Town Council has reviewed the matter, and in the interest of goodwill, comity and support of the Highland Chamber of Commerce and its Best of Highland Awards Event, now desires and elects to authorize and approve contributions to Highland Chamber of Commerce in support of its Best of Highland Awards Event, with such contributions to be for the purchase of the event ticket in the amount of forty dollars (\$40.00) for each Highland municipal employee or officer named a finalist in consequence of the Best of Highland Awards and who also attends the event;

**Now Therefore Be it hereby Ordered** by the Town Council of the Town of Highland, Lake County, Indiana;

**Section 1.** That in the interest of goodwill, comity and support of the Highland Chamber of Commerce and its *Best of Highland Awards Event*, the Highland Town Council now does authorize and approve elective contributions to Highland Chamber of Commerce in support of its Best of Highland Awards Event, provided as follows:

- (a) That such elective contributions be based upon and in support of the purchase of the event ticket in the amount of forty dollars (\$40.00) for each Highland municipal employee or officer named a finalist, as depicted on the accompanying exhibit; and
- (b) That employee or officer of the Town named a finalist in the Best of Highland Awards must also attend the event; and,

- (c) That this includes support of the ticket of the Parks and Recreation Superintendent or his designee as representing the Lincoln Community Center for its nomination in the category of beautification;

**Section 2.** That the Town Council hereby finds and determines that such an expense promotes the laudable interests of the Town, supports more perfect relations with the Highland Chamber of Commerce and is a lawful expense supporting activities which are of a civic or governmental nature;

**Section 3.** That the Town Council hereby further finds and determines that the number of eligible employers or officers is in the amount of nineteen and the maximum contribution authorized by this order is fixed at seven hundred, sixty dollars (\$760);

**Section 4.** The Clerk-Treasurer is hereby authorized to take such lawful steps necessary to carry out the purposes of this order.

**Be it so Ordered.**

**DULY, PASSED and ORDERED** by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 11<sup>th</sup> day of March 2013 having passed by a vote of 3 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA**

Brian J. Novak, President (IC 36-5-2-10)

**Attest:**

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM  
Clerk-Treasurer (IC 33-16-4-1;IC 36-5-6-5)

EXHIBIT  
**CIVIL SERVANT AWARDS EXHIBIT**

**Civil Servant**

*John Breslin, Council of Community Events  
Michael Griffin, Highland Clerk-Treasurer  
Cecile Petro, Highland Redevelopment*

**Chamber Volunteer**

~~Liz Fledderjohann, New Life CRC  
Bill Leep, Pleasant View Dairy  
Vickie Rust, First Midwest Bank  
Mary Shelton, Centier Bank~~  
*Judy Vaughn, Town of Highland*

**Beautification**

Apex Construction  
Lincoln Community Center  
Strack & Van Til  
Traditions Restaurant & Pub

**Public Works Department**

*John Bach  
Mike Pipta  
Jeff Siple*

**Fire Department**

*Ken Mika  
Doug Turich*

**Parks Department**

*David Ferrara  
Sylvester Gardner  
Laura Wanicki*

**Police Department/VIPS**

*Shawn Anderson*



Lloyd Blissmer  
Linda Blissmer  
Jerry Koedyker  
Brandon Norris  
Brad Snow  
Pat Vassar

*Eligible employee or officer in italics*

3. **Works Board Order No. 2013-15:** An Order Approving and Authorizing the Metropolitan Police Chief to Purchase from Digital Intelligence of New Berlin, WI; Forensic Recovery Of Evidence Device-Standard system including laptops and supplies pursuant to I.C. 5-22 and Section 3.05 of the Municipal Code.

Councilor Herak moved, Councilor Vassar seconded the passage and adoption of Works Board Order No. 2013-15. Upon a roll call vote, there were three affirmatives and no negatives. The motion passed. The Works Board Order was adopted.

**Town of Highland  
Board of Works  
Order of the Works Board 2013-15**

**An Order Approving and Authorizing the Metropolitan Police Chief to Purchase from Digital Intelligence of New Berlin, WI; Forensic Recovery Of Evidence Device-Standard system including laptops and supplies pursuant to I.C. 5-22 and Section 3.05 of the Municipal Code**

**Whereas**, The Town of Highland Metropolitan Police Department, as part of its public duties, has a responsibility for patrol, public safety and protection of life and property throughout the Town of Highland and, from time to time, it is necessary to purchase and or lease materials and supplies in order to carry out the functions of the department; and

**Whereas**, The Metropolitan Police Chief has identified Digital Intelligence of New Berlin, WI to be the only vendor that offers this unique equipment in Computer Forensics at a price of \$36,734.00.

**Whereas**, The price for the purchase exceeds \$10,000.00 and, pursuant to Section 3.05.040 (C) as well as 3.05.050 (B)(1)(b) of the Highland Municipal Code requires the express approval of the purchasing agency; and

**Whereas**, The Town Council as the Works Board of the Municipality, pursuant to Section 3.05.030 (A) (1) (b) of the Highland Municipal Code serves as the purchasing agency for the Metropolitan Police Department; and

**Whereas**, The Metropolitan Police Chief, pursuant to Section 3.05.060 (G) of the Highland Municipal Code, serves as the Purchasing Agent for the Metropolitan Police Department; and

**Whereas**, The Purchasing Agent, pursuant to 3.05.060(G) of the Highland Municipal Code, expected that the purchase would not be in excess of \$50,000.00 and therefore, would like to purchase in the open market in accordance with 3.05.060 (G) (2) of the Highland Municipal Code; and

**Whereas**, The purchase of this Forensics Recovery of Evidence Device and supplies will be supported by the Child Sexual Predator Grant- Fund 89.

**Whereas**, The Town Council now desires to approve and authorize the Police Chief to complete the purchase pursuant to the terms and stated herein.

**Now, Therefore Be It Ordered** by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board of Municipality:

**Section 1.** That the Town Council acting as the Works Board hereby finds and determines as follows:

(a) That the purchase as an individual purchase represents a duly executed small purchase pursuant to IC 5-22 and Section 3.05.060(G)(2) of the Highland Municipal Code;

(b) That identified Digital Intelligence of New Berlin, WI to be the only source that offers this unique equipment in computer forensics, based upon reasonable requirements, all pursuant to Section 3.05.060 (I)(8) of the Highland Municipal Code;

**Section 2.** That the terms and charges for the Forensic Recovery Device computer and supplies are in the unit amount of thirty six thousand seven hundred thirty four dollars and 00/100 cents (\$36,734.00) is found to be reasonable and fair;

**Section 3.** That the Metropolitan Police Chief is now authorized and approved to execute the purchase agreement and any additional documents in order to implement this purchase and then file these documents as financial materials with the Office of the Clerk-Treasurer, pursuant to IC 36-5-4-14.

**Be It So Ordered.**

DULY, PASSED, ADOPTED AND ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 11<sup>th</sup> day of March 2013 having passed by a vote of 3 in favor and 0 opposed.

**TOWN COUNCIL OF THE  
TOWN OF HIGHLAND, INDIANA**

Brian J. Novak, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM  
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

4. **Works Board Order No. 2013-16:** An Order of the Works Board Authorizing and Approving a Purchase Agreement for the Property at 3305 Ridge Road, Highland, for the Purchase Price of \$133,000, and authorizing the payment or deposit of earnest money in the amount of \$1,000, pursuant to IC 36-1-4-5 and IC 36-1-10.5-5.

Councilor Herak moved, Councilor Vassar seconded the passage and adoption of Works Board Order No. 2013-16. Upon a roll call vote, there were three affirmatives and no negatives. The motion passed. The Works Board Order was adopted.

**Town of Highland  
Board of Works  
Order of the Works Board 2013-16**

**An Order of the Works Board Authorizing and Approving a Purchase Agreement for the Property at 3305 Ridge Road, Highland, for the Purchase Price of \$133,000, and authorizing the payment or deposit of earnest money in the amount of \$1,000, pursuant to IC 36-1-4-5 and IC 36-1-10.5-5.**

**Whereas,** The Town Council as the fiscal body and purchasing agency for the Municipal Corporation did pass and adopt **Resolution No. 20013-13** at its meeting of February 11, 2013, in which it expressed interest in the possible acquisition of the property located at 3305 Ridge Road, and instructed the proper officer to acquire two appraisals of the properties pursuant to IC 36-1-10.5-5 et seq.;

**Whereas,** Pursuant to the foregoing, the proper officer engaged the appraisal services of Bochnowski Appraisal Company and KVT, Incorporated, both trained and licensed as brokers under IC 25-34.1, to appraise the fair market value of the property located at 3305 Ridge Road;

**Whereas,** Bochnowski Appraisal Company and KVT, Incorporated have prepared and submitted written appraisals for the property located at 3305 Ridge Road and have determined the fair market value as follows:

<u>Location</u>	<u>Bochnowski</u>	<u>KVT, Inc.</u>	<u>Average</u>
3305 Ridge Road	\$133,000.00	\$133,000.00	\$133,000.00

**Whereas,** The Town Council, acting as the Works Board, at its meeting of February 25, 2013, passed and adopted Works Board Order No. 2013-13, which acknowledged the receipt of the property appraisals, and authorized the proper officer to negotiate the purchase of the property at 3305 Ridge Road pursuant to IC 36-1-10.5;

**Whereas,** The negotiation has concluded, the seller has presented a real estate sales agreement informed by the terms of the negotiation in the hopes that the Town of Highland as buyer, through the Town Council, will accept the agreement, approve its terms and authorize the purchase of the property at 3305 Ridge Road; and,

**Whereas,** The Town Council as the Works Board of the Municipality, pursuant to Section 3.05.030 (A) (1) of the Highland Municipal Code serves as purchasing agency for the Municipal Corporation;

**Whereas,** The purchase price exceeds \$10,000.00 and, pursuant to Section 3.05.040 (C) of the Highland Municipal Code requires the express approval of the purchasing agency;

**Whereas,** The source of funding has been determined to be supported by a proposed additional appropriation in the Rainy Day Fund, which is expected to be approved at the Town Council meeting of March 11, 2013, but will require the approving order of the Commissioner of the Department of Local Government Finance before its resources may be expended, so there is at present no sufficient appropriation in order to support the purchase, but as evidence of good faith, a payment of \$1,000 earnest money is due as part of the forgoing agreement; and

**Whereas,** The Town Council now desires to approve the purchase agreement for the acquisition of the property described herein and authorize the proper officers to complete the purchase pursuant to the terms stated,

**Now Therefore,** be it so ordered by the Town Council of the Town of Highland, Lake County, Indiana as follows:

**Section 1.** That the purchase of the property located at **3305 Ridge Road, Highland**, for a purchase price of \$133,000 is authorized and approved contingent upon the approval of an additional appropriation in the Rainy Day Fund;

**Section 2.** That the payment of earnest money in the amount of \$1,000 is hereby authorized to evidence the good faith of the municipal corporation in this matter, subject to IC 5-11-10 and IC 36-5-4;

**Section 3.** That the land purchase agreement presented as an exhibit to this works board order is hereby approved in all respects, contingent upon financing, and subject to the laws of the state of Indiana and the ordinances of the Town of Highland;

**Section 4.** That the proper officers of the municipality are hereby authorized to execute all documents necessary to implement and conclude the purchase of the property subject to the contingencies herein provided;

**Section 5.** That the Municipal Fiscal Officer shall inform the Town Attorney as soon as the approving order of the Commissioner of the Department of Local Government Finance for the appropriation in the Rainy Day Fund is received, and that these officials are hereby authorized to take the necessary measures to take all lawful measures, to carryout the purchase of this property, including the payment of the purchase fee in advance of board allowance, pursuant to the authority set forth in Section 3.10.010 (A) 12 (h) of the Highland Municipal Code.

**Be it So Ordered.**

Duly, Passed and Adopted by the Town Council of the Town of Highland, Lake County, Indiana this 11th day of February 2013 having passed by a vote of 3 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA**

Brian J. Novak, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM  
Clerk-Treasurer (IC 33-16-4-1;IC 36-5-6-5)

5. **Proposed Ordinance No. 1533:** An Ordinance Approving the American with Disabilities Act (ADA) Transition Plan as Required by United States Department of Justice Regulations set forth in 28 CFR Part 35 as Authorized by Title II of the Americans with Disabilities Act (ADA).

**Note:** Action to adopt the ordinance was undertaken well after the arrival of Councilor Kuiper , who arrived at 7:34, thus not requiring any delay to take up the motion to adopt.

Councilor Herak introduced and moved the consideration at the same meeting of introduction of Proposed Ordinance No. 1533. Councilor Vassar seconded. Upon a roll call vote, a unanimous vote being necessary, there were four affirmatives and no negatives. The motion passed. The Proposed Ordinance No. 1533 could be considered at the same meeting of its introduction.

Councilor Herak moved the passage and adoption at the same meeting of introduction of Proposed Ordinance No. 1533. Councilor Vassar seconded. Upon a roll call vote, a two-thirds vote being necessary, there were four affirmatives and no negatives. The

motion passed. Ordinance No. 1533 was adopted at the same meeting of its introduction.

**TOWN OF HIGHLAND  
ORDINANCE No.1533**

**An Ordinance Approving the American with Disabilities Act (ADA) Transition Plan as Required by United States Department of Justice Regulations set forth in 28 CFR Part 35 as Authorized by Title II of the Americans with Disabilities Act (ADA).**

**WHEREAS,** I.C. 36-1-3-4(b) specifically provides that a unit of local government has all powers granted it by statute and all other powers necessary or desirable in the conduct of its affairs, even though not granted by statute;

**WHEREAS,** IC 36-8-2-4 specifically provides that a unit of local government may regulate conduct, or use or possession of property, that might endanger the public health, safety, or welfare;

**WHEREAS,** IC 5-14-1.5-8 prohibits the conduct of any public meeting in a location that is not accessible to an individual with disabilities;

**WHEREAS,** The Americans with Disabilities Act (ADA) prohibits discrimination by public entities on the basis of disability by making all programs, services and activities accessible to persons with disabilities;

**WHEREAS,** In support of advancing compliance with the ADA, the United States Department of Justice developed regulations requiring municipalities like the Town of Highland, to conduct a self-evaluation of the accessibility of its programs and services to determine whether issues of accessibility could be addressed through changes in the way such programs and services are provided;

**WHEREAS,** 28 CFR Part 35 expressly provides that *"in the event that structural changes to facilities will be undertaken to achieve program accessibility, a public entity that employs fifty or more persons shall develop a Transition Plan, setting forth the steps necessary to complete such changes";* and,

**WHEREAS,** 28 CFR Part 35, further provides that for public entities that also have responsibility or authority over streets, roads, or walkways, *"its Transition Plan shall include a schedule for providing curb ramps or other sloped areas where pedestrian walks cross curbs, giving priority to walkways serving entities covered by the Act."*;

**WHEREAS,** The Town Council at its meeting of August 27, 2012, passed and adopted Works Board Order No. 2012-32, which engages First Group Engineers to assist in the development of an ADA Transition Plan;

**WHEREAS,** The Building Commissioner, as ADA Coordinator, has presented an ADA Transition Plan to the Town Council, recommending its adoption; and,

**WHEREAS,** the Town Council now desires to pass and adopt the ADA Transition Plan as presented,

**NOW, THEREFORE BE IT HEREBY ORDAINED,** by the Town Council of the Town of Highland, Lake County as follows:

**Section 1.** That the Town Council of the Town of Highland hereby adopts and approves in all respects the ADA Transition Plan, as attached, as the official plan for the Town of Highland required by the regulations of the United States Department of Justice as set forth in 28 CFR Part 35;

**Section 2.** That the Building Commissioner is hereby affirmed and formally named, appointed and ratified as the ADA Coordinator for the Town of Highland, Indiana, rendering him the *responsible official* for the advance of the plan and the continuing efforts for compliance with the purposes and objects of the Americans with Disabilities Act;

**Section 3.** That two (2) copies of the attached ADA Transition Plan shall be on file in the Office of the Clerk-Treasurer and made available for public inspection, all pursuant to IC 36-1-5-4;

**Section 4.** That additional copies shall be maintained in the Office of the Building Commissioner and such other offices as the ADA Coordinator may determine, provided in all cases the ADA Transition Plan shall be available for public inspection.

Introduced and Filed on the 11<sup>th</sup> Day of March 2013. Consideration on same day or at same meeting of introduction sustained a vote of 4 in favor and 0 opposed, all pursuant to IC 36-5-2-9.8.

**DULY ORDAINED AND ADOPTED** this 11<sup>th</sup> Day of March 2013, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 4 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA**

Brian J. Novak, Town Council President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM  
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

6. Action to approve overtime payments for Exempt Salaried Personnel, pursuant to Section 3 of Ordinance No. 1511 the Wage and Salary Ordinance, as amended and Section §4.03.01 of the Compensation and Benefits Ordinance. This waives the provisions of Section § 2.01 of the Compensation and Benefits Ordinance.
  - 6.1 *The Metropolitan Police Chief requests favorable action for R. Potesta, who is an exempt salaried employee, and investigations division commander, in the amount of \$100.00, for work associated with Highland Grove Mall Special Security.*

Councilor Herak moved to approve the overtime pay to Commander Potesta as requested. Councilor Kuiper seconded. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The overtime pay for a FLSA exempt salaried supervisor was approved.

**Comments from the Town Council Members**  
(For the Good of the Order)

- **Councilor Bernie Zemen:** *Chamber of Commerce Liaison • Liaison to the Board of Waterworks Directors.*

Councilor Zemen was absent.

- **Councilor Mark Herak:** *Park and Recreation Board Liaison • Budget and Finance Chair • Liaison to the Board of Sanitary Commissioners • Liaison to the Community Events Commission • Liaison to the Park and Recreation Board.*

Councilor Herak acknowledged those workers who were winners of the Best of Highland Awards organized by the Highland Chamber of Commerce. He also acknowledged the Lincoln Community Center winning the Beautification Award.

Councilor Herak recognized the Parks and Recreation Superintendent offered a brief summary of park repairs or improvements underway.

Councilor Herak recognized the Public Works Director who noted that a required hearing would soon be scheduled in order to hear comments on use of the Town of Highland's allocation of Community Development Block Grant Funds, shared with the Town via the Urban County Program.

- **Councilor Dan Vassar:** *•Redevelopment Commission Liaison.*

Councilor Vassar recognized the Redevelopment Director who offered a cursory overview of on-going redevelopment activities and the status of the facade improvement program. The Redevelopment Director also reported on the first ever Cash Mob event slated for Hoosier Highlander Stationary and Art Framing Store, on Highway Avenue in Highland.

Councilor Vassar recognized the Building Commissioner to offered an update on the progress on the Unsafe Building demolition action approved for the building on 45<sup>th</sup> Avenue formerly used by Chela's Restaurant.

Councilor Vassar inquired of the Public Works Director the status of the road and street paving and resurfacing schedule for FY 2013. It was noted that it was still in development.

- **Councilor Konnie Kuiper:** • *Fire Department, Liaison* • *Town Board of Metropolitan Police Commissioners Liaison* • *Chamber of Commerce Liaison*.

Councilor Kuiper recognized the Fire Chief, who commented on a recent fire to a house that was in foreclosure. The Fire Chief indicated that the cause of the fire was under investigation.

- **Council President Brian Novak:** *Advisory Board of Zoning Appeals, Liaison* • *Municipal Executive* • *Chairman of the Board of Trustees of the Police Pension Fund (1925 Law)*.

The Council President recognized the Metropolitan Police Chief who offered a summary of matters being considered by the Traffic Safety Commission.

#### **Comments from Visitors or Residents:**

1. Philip Manning, 3335 Jewett Street, Highland, restated a concern he had presented at the Town Council Meeting of February 25, 2013, regarding the timing of the traffic control lights at the intersection of US 41 and Ridge Road. It was noted that INDoT was informed of the issue.
2. Michael Blejski, 9636 Fifth Place, Highland inquired whether the dates and times of performance for the forthcoming Highland High School Play styled, "Into the Woods", could be included in a forthcoming edition of the monthly municipal newsletter. Councilor Vassar indicated he would follow-up.

**Payment of Accounts Payable Vouchers.** There being no further comments from the public, Councilor Kuiper moved to allow the vendors accounts payable vouchers as filed on the pending accounts payable docket, covering the period February 26, 2013 through March 11, 2013 as well as the Payroll Dockets for the paydays of December 14, 2012, December 28, 2012 and January 11, 2013. Councilor Vassar seconded. Upon a vote *viva voce*, the motion passed. The accounts payable vouchers for vendors were allowed along with the payroll dockets and the Clerk-Treasurer was authorized to make payment.

#### **Vendors Accounts Payable Docket:**

**General Fund**, \$168,889.68; **Motor Vehicle Highway and Street (MVH) Fund**, \$34,082.13; **Law Enforcement Training and Supply Fund**, \$1,313.54; **Innkeeper's Tax Fund**, \$1,116.00; **Information and Communications Technology Fund**, \$4,944.68; **Civil Donation Fund**, \$1,053.00; **Select Centennial Commission Fund**, \$76.63; **General Improvement Fund**, \$36.00; **Traffic Violations and Law Enforcement Agency Fund**, \$2,766.00; **Sexual Predator Grant Fund**, \$2,016.00. **Total: \$216,293.66.**

#### **Payroll Docket, payday of December 11, 2012:**

*Council Boards and Commissions*, \$0.00; *Office of the Clerk-Treasurer*, \$12,667.57; *Service Awards*, \$1,500.00; *Building and Inspection Department*, \$7,708.92; *Metropolitan Police Department*, \$112,573.87 *Fire Department*, \$2,867.34; *Public Works Department (Agency)*, \$56,825.49; and *Police Pension Trust Fund (1925 Act)*, \$0.00; **Total: \$194,143.19.**

#### **Payroll Docket, payday of December 28, 2012:**

*Council Boards and Commissions*, \$10,533.19 *Office of the Clerk-Treasurer*, \$12,516.66; *Building and Inspection Department*, \$ 6,799.03; *Metropolitan Police Department*, \$102,354.74; *Fire Department*, \$3,151.27; *Public Works Department (Agency)*, \$57,379.42; and *Police Pension Trust Fund (1925 Act)*, \$61,064.89; **Total: \$253,799.20.**

#### **Payroll Docket, payday of January 11, 2013:**

*Council Boards and Commissions*, \$0.00; *Office of the Clerk-Treasurer*, \$12,462.20; *Building and Inspection Department*, \$ 6,135.72; *Metropolitan Police Department*, \$107,397.91; *Fire*

Department, \$2,757.05; Public Works Department (Agency), \$60,086.50; and Police Pension Trust Fund (1925 Act), \$0.00; **Total: \$188,839.38.**

**Payroll Docket, payday of January 25, 2013:**

Council Boards and Commissions, \$8,149.00; Office of the Clerk-Treasurer, \$13,008.70; Building and Inspection Department, \$ 8,410.56; Metropolitan Police Department, \$101,474.11; Fire Department, \$23,594.58; Public Works Department (Agency), \$58,209.71; and Police Pension Trust Fund (1925 Act), \$62,255.49; **Total: \$275,202.15.**

*Announcement and Notice.* The Town Council President announced that the Town Council would convene in study session to perform interviews with persons interested in possible appointment to the Town Board of Metropolitan Police Commissioners.

**Adjournment.** Councilor Kuiper moved that the plenary meeting be adjourned. Councilor Vassar seconded. Upon a vote *viva voce*, the motion passed. The regular plenary meeting of the Town Council of Monday, March 11, 2013 was adjourned at 8:07 O'clock p.m. A study session followed the meeting.

*Study Session.* The Twenty Seventh Town Council of the Town of Highland, Lake County, Indiana met in a study session following the regular (rescheduled) meeting on Monday, March 11, 2013 at 8:15 p.m. in the upper floor study room of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

**Silent Roll Call:** Councilors Mark Herak, Dan Vassar, Konnie Kuiper and Brian J. Novak, were present. Councilor Bernie Zemen was absent. The Town Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

**General Substance of Matters Discussed.**

1. The Town Council interviewed Robert Williams, 2852 100<sup>th</sup> Street, Highland as a prospective candidate for appointment to the Town Board of Metropolitan Police Commissioners. Mr. Williams offered an overview about his interest and a restatement of his resume. Mr. Williams is a sales manager at Alliance Hose Company. He noted that he also was a member in the Volunteers in Police Services for approximately 7 years.

Mr. Williams confirmed his affiliation with the Republican Party. He also indicated that he had nothing in his background that would bring embarrassment to the Town or to the Town Council. The Town Council discussed with Mr. Williams the duties of the Board. He confirmed his availability for the meeting schedule as currently fixed.

Mr. Williams, when asked about a possible difference of opinion between the Town Council and the Town Board of Metropolitan Police Commissioners, indicated that he perceived that he could consider the best interests of the Town and consider all the facts before making a final decision.

The Town Council President thanked Mr. Williams for his interest and Mr. Williams departed.

2. The Town Council interviewed Mr. Ralph Scheeringa, 3702 41<sup>st</sup> Lane, Highland as a prospective candidate for appointment to the Town Board of Metropolitan Police Commissioners. Mr. Scheeringa offered an overview about his interest and a restatement of his background. Mr. Scheeringa noted that he is recently retired.

Mr. Scheeringa confirmed his affiliation with the Republican Party. He also indicated that he had nothing in his background that would bring embarrassment to the Town or to the Town Council. The Town Council discussed with Mr. Scheeringa the duties of the Board. He confirmed his availability for the meeting schedule as currently fixed.

Mr. Scheeringa, when asked about a possible difference of opinion between the Town Council and the Town Board of Metropolitan Police Commissioners, indicated that he perceived that he would consider all the facts before making a final decision.

Mr. Scheeringa indicated that he knew no one on the Town Board of Metropolitan Police Commissioners but did know current members of the Police Department.

The Town Council President thanked Mr. Scheeringa for his interest and he then departed.

3. The Town Council interviewed Mr. Roy Miller, 9114 Woodward Avenue, Highland as a prospective candidate for appointment to the Town Board of Metropolitan Police Commissioners. Mr. Miller offered an overview about his interest and a restatement of his background. Mr. Miller noted that he is semi-retired, working with his former employer, 4SF Keystone, as a consultant.

Mr. Miller confirmed his affiliation with the Republican Party. He also indicated that he had nothing in his background that would bring embarrassment to the Town or to the Town Council. The Town Council discussed with Mr. Miller the duties of the Board. He confirmed his availability for the meeting schedule as currently fixed.

Mr. Miller, when asked about a possible difference of opinion between the Town Council and the Town Board of Metropolitan Police Commissioners, indicated that he perceived that he would consider all the facts before making a final decision. He stressed his independence of judgment.

Mr. Miller indicated that he knew no one on the Town Board of Metropolitan Police Commissioners nor did he know any current members of the Police Department.

Mr. Miller inquired whether the duties of the Town Board of Metropolitan Police Commissioners included simply policymaking and oversight and the what the Town Council believed its role was relative to that of the Town Council. Mr. Miller further inquired regarding the nature of the budget and whether there were any constraints.

The Town Council President thanked Mr. Miller for his interest and he then departed.

4. The Town Council interviewed Mr. Michael R. Danko, 93501 Maple Place, Highland as a prospective candidate for appointment to the Town Board of Metropolitan Police Commissioners. Mr. Danko offered an overview about his interest and a restatement of his background, which included his service in the United States Marine Corps., working as a Military Policeman. Mr. Danko noted that he is a police officer holding the rank of Sergeant, serving as a patrol supervisor in the Police Department with the City of Hammond.

Mr. Danko confirmed his affiliation with the Republican Party. He also indicated that he had nothing in his background that would bring embarrassment to the Town or to the Town Council. The Town Council discussed with Mr. Miller the duties of the Board. He confirmed his availability for the meeting schedule as currently fixed.

Mr. Danko, when asked about a possible difference of opinion between the Town Council and the Town Board of Metropolitan Police Commissioners, indicated that he perceived that he would consider all the facts before making a final decision. He stressed that his experience as a police officer, he perceived, would be a virtue in making any decision.

Mr. Danko indicated that he knew no one on the Town Board of Metropolitan Police Commissioners but did he know Officer D. Matusik, with whom he would often go on fishing trip. He further indicated that he knew no other members of the Police Department.



The Town Council and Mr. Danko discussed the perception of and possible Highland police officers' reaction to the appointment of a police officer from a neighboring city. Mr. Danko opined that he believed that there would be no adverse perception or reaction from the police officers in Highland. Mr. Danko confirmed that his Police Chief did not express any opposition to his participation on the Town Board of Metropolitan Police Commissioners.

The Town Council President thanked Mr. Danko for his interest and he then departed.

5. The Town Council discussed the comparative merits of the candidates for appointment. Some councilors offered their preferences by ranking the candidates in preferential order. The discussion included that for some on the Council, the desired qualities for a preferred appointee to include independence of judgment, little to no relationship of knowledge of current members of the Town Board of Metropolitan Police Commissioners as well as members of the Police Department. The discussion included the rationale for having a police officer also serve on the Commission.

No final preference or consensus emerged.

6. The Town Council and the Town Council President discussed his current opinion to no longer pursue having Highland be considered as a possible host community for the required consolidated 911 PSAP (*Public Safety Access Point*) that is mandated for all counties or risk loss of certain public safety funding. The Town Council President explained that his position had changed as he learned more about the process that is being used to determine sites and which county officers were associated with some of the choices.
7. The Town Council discussed the importance and need for conducting evaluations of department heads. It was noted that the process would be helpful in communicating expectations regarding performance in more certain terms than is currently done.
8. The Town Council discussed certain "gouges" appearing on some streets and the importance of having the Public Works Director to investigate and report as to cause and remedy.
9. The Town Council discussed the voluntary separation of the officer previously assigned to be a Law Enforcement Canine handler. It was noted that the usual documents required to be signed by officers at the time of their hire, providing a "liquidated damages" provision that would allow for some recovery of costs associated with training and other expenses if the officer resigns sooner than after two years of employment, were not signed.

There being no further business to be considered by the Town Council, the study session ended at 10:10 o'clock p.m.

Michael W. Griffin, IAMC/ MMC/ CPFA/CPFIM  
Town Clerk-Treasurer